

Message Text

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61

ACTION SCA-01

INFO OCT-01 ARA-06 ISO-00 H-02 SCS-03 L-03 /016 W

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P 120013Z JUN 75

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC PRIORITY 8219

LIMITED OFFICIAL USE MEXICO 5110

E.O. 11652: N/A

TAGS: CGEN, CASC, MX

SUBJ: CONGRESSIONAL/DEPARTMENT INTERVIEWING TEAM

REF: MEXICO 5026 AND STATE 135184

1. ONCE AGAIN APPARENT AGREEMENT ON USE OF TAPE
RECORDERS BROKE DOWN WHEN EMBASSY AND DEPARTMENT CONOFFS
VISITED LECUMBERRI TUESDAY, JUNE 10. CONOFFS WERE TOLD
THAT THEY COULD TAPE INTERVIEWS ONLY IF PRISON OFFICIALS
ALSO TAPED INTERVIEWS AND THAT DECISION ON PERMITTING
USE OF RECORDERS WAS WITHIN DISCRETION OF PRISON DIRECTOR.
CONVERSATIONS WITH DIRECTOR OF PRISONS AND OTHERS FAILED
TO CHANGE MEXICAN POSITION AND ELICITED FURTHER EXPLANATION
THAT USE OF RECORDERS WAS MATTER OF PRISON SECURITY.

2. IN VIEW OF THIS DEVELOPMENT AND REPEATED BLOCKING
OF OUR ATTEMPTS TO TAPE INTERVIEWS WHICH HAS NOW WASTED
OVER A WEEK, CONOFFS PROCEEDED TODAY TO LECUMBERRI
TO CONDUCT INTERVIEWS BY HAVING PRISONERS THEMSELVES
WRITE OUT RESPONSES TO PREPARED QUESTIONS AND TO
INCLUDE IN SWORN STATEMENT FURTHER COMMENTS OR
DECLARATIONS THEY WISH TO MAKE. CONOFFS JUST RETURNED
FROM LECUMBERRI WHERE THEY COMPLETED 8 INTERVIEWS OF
THOSE ON LIST PLUS TWO OTHER AMERICAN PRISONERS WHO HAD
COMPLAINTS OF MISTREATMENT TO MAKE.

3. WE ARE CONSIDERING TAKING UP WITH COM THEIR INSISTENCE ON
MONITORING TAPERCORDED DEPOSITIONS. HOWEVER, BEFORE DOING SO
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REQUEST VIEWS OF LEGAL ADVISORS OFFICE WHETHER IT IS APPROPRIATE,

IN VIEW OF ANY EXPERIENCE IN OTHER COUNTRIES AND ANY
RESTRICTIONS PREVAILING IN U.S., TO TAKE POSITION WITH
GOM THAT TAKING OF DESPOSITIONS UNDER ARTICLE 7 OF US/MEXICAN
CONSULAR CONVENTION AND UNDER VIENNA CONVENTION IS NOT
RESTRICTED TO CONVENTIONAL WRITTEN STATEMENTS BUT INCLUDES
UNMONITORED USE OF TAPE RECORDER TO TRANSCRIBE AND PREPARE SUCH
DEPOSITIONS.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 12 JUN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975MEXICO05110
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750204-0371
From: MEXICO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750657/aaaabzsu.tel
Line Count: 69
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 MEXICO 5026, 75 AND STATE 135184
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 09 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 APR 2003 by ElyME>; APPROVED <22 SEP 2003 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CONGRESSIONAL/DEPARTMENT INTERVIEWING TEAM
TAGS: CGEN, CASC, MX
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006